



Docket No.: 241723US2S

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

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RE: Application Serial No.: 10/642,753

Applicants: Shigeru NAGASAKA, et al.

Filing Date: August 19, 2003

For: NONVOLATILE SEMICONDUCTOR MEMORY
DEVICE INCLUDING MOS TRANSISTORS EACH
HAVING A FLOATING GATE AND A CONTROL
GATE

Group Art Unit: 2826

Examiner: Forde, R.

SIR:

Attached hereto for filing are the following papers:

ELECTION

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Eckhard H. Kuesters

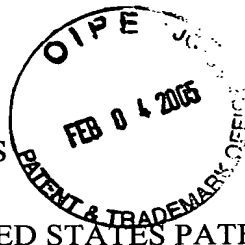
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DOCKET NO: 241723US2S



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
AKIRA SHIMIZU ET AL : EXAMINER: FORDE, R.
SERIAL NO: 10/642,753 :
FILED: AUGUST 19, 2003 : GROUP ART UNIT: 2826
FOR: NONVOLATILE :
SEMICONDUCTOR MEMORY DEVICE
INCLUDING MOS TRANSISTORS...

ELECTION

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SIR:

In response to the Election Requirement dated January 5, 2005, Applicants elect without traverse Embodiment 2, identified in the outstanding Official Action as corresponding to Figures 8-10, for further examination on the merits. Applicants identify Claims 1-5, 7-12, 16-19 and 23 as readable on the elected species. Applicants reserve the right to file one or more divisional applications directed to the non-elected embodiment.

Accordingly, examination on the merits of Claims 1-5, 7-12, 16-19 and 23 is believed to be in order and an early and favorable action is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

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A handwritten signature in black ink, appearing to read "Eckhard H. Kuesters".

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Attorney of Record